

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13

DARREN L. FOSTER &
JANINE WHITNEY-FOSTER,

Case No. 110-44981-JF

ORDER CONFIRMING PLAN
Hon. Jerome Feller

Debtors.

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The Debtors' Chapter 13 Plan, dated December 13, 2010 and filed with the Clerk's Office on December 13, 2010 as docket number 31, (the "Plan") or a summary thereof, having been transmitted to all creditors; and the deposit required by the Plan and 11 U.S.C. Section 1326 having been made to the Trustee; and it having been determined after notice and a hearing, on December 15, 2010, that the Plan complied with the provisions of 11 U.S.C. Section 1325 and with other applicable provisions of Title 11 of the United States Code;

IT IS ORDERED, that:

1. The Plan is hereby confirmed.

2. The percentage stated in the Plan for payments to unsecured creditors shall be paid to all unsecured creditors provided all proofs of claim are timely filed and allowed. If all proofs of claims are not filed as scheduled, the unsecured creditors who have filed claims shall be paid pro rata, but in no event shall they receive more than one hundred (100%) percent of their claim as filed.

3. Immediately after the entry of this Order and every month thereafter, the Debtors shall pay to the Trustee Marianne DeRosa, by bank check, certified check or money order, the sum of \$275.00 each month commencing June 2010 through and including October 2010 for a period of 5 months, \$626.00 in November 2010 for a period of 1 month, \$708.00 for December 2010 for a period of one month, \$800.00 commencing January 2011 through and including May 2015 for a period of 53 months, at P.O. Box 2178, Memphis, TN 38101-2178 for a total period of 60 months. During the pendency of this case, the Debtors will provide the Trustee with signed copies of filed federal and state tax returns for each year no later than April 15th of the year following the tax period. Indicated tax refunds are to be paid to the Trustee upon receipt; however, no later than June 15th of the year in which the tax returns are filed

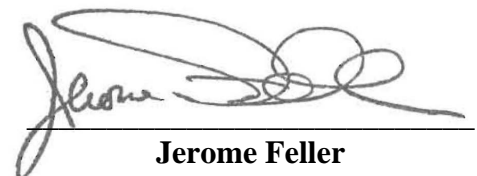
4. The holder of each allowed secured claim shall retain the lien securing such claim.

5. The Court shall retain jurisdiction over the Debtors' real property pursuant to 11 U.S.C. Section 1327. By virtue thereof, the Debtors shall not sell, encumber or hypothecate said real property without prior written approval of this Court.

6. Throughout the term of the Plan, the Debtors are enjoined from incurring post-petition debt over \$1,500.00 without prior written consent of the Chapter 13 Trustee and this Court.

**Dated: Brooklyn, New York
December 23, 2010**




**Jerome Feller
United States Bankruptcy Judge**